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**Introduced by Senator Kuehl**

February 17, 2005

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An act relating to female offenders.

LEGISLATIVE COUNSEL'S DIGEST

SB 366, as introduced, Kuehl. Female offenders.

Existing law provides for the custody and care of female offenders in state prisons.

The bill would state the intent of the Legislature to develop a correctional strategy to address the unique gender-based issues that exist for female offenders, and would make findings and declarations in that regard.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. (a) The Legislature finds and declares all of the  
2     following:  
3     (1) Of the 165,000 individuals incarcerated in California's  
4     prisons, 10,000 are women. There are an additional 12,000  
5     women on parole.  
6     (2) The vast majority of female inmates are not a threat to  
7     public safety. Female inmates disproportionately commit  
8     nonviolent property or drug-related crimes. More women  
9     prisoners have been victims of violent crimes than were  
10    convicted of violent crimes.  
11    (3) Women entering prison are more likely than their male  
12    counterparts to be unemployed and uneducated, more likely to  
13    suffer from mental illness and health problems, and are more

1 severely addicted to drugs. They are also significantly more  
2 likely to be the primary caregivers of young children.

3 (4) The current correctional system fails to take into account  
4 the unique characteristics and needs of women prisoners. The  
5 state has made only minimal efforts to provide the  
6 gender-responsive strategies that experts agree are essential for  
7 female prisoners and parolees to become self-sufficient and  
8 law-abiding citizens.

9 (5) Over one-half of California's women prisoners were the  
10 caretakers of minor children before being arrested. Two-thirds of  
11 them were the only caretaker. Improving outcomes for women on  
12 parole could not only reduce costs and improve public safety, but  
13 positively impact the lives of California's children.

14 (6) Seventy-five percent of female offenders are housed in two  
15 large, remote facilities, far from their homes and families. More  
16 than half of the children of female prisoners never visit their  
17 mothers during incarceration, in part because of how difficult it is  
18 to arrange transportation to these remote facilities. Experts agree  
19 that whether connections between prisoners and their families are  
20 maintained can mean the difference between offender success  
21 and recidivism.

22 (7) More and more experts agree that to be effective with  
23 female offenders, re-entry strategies need to address the  
24 circumstances and needs of women while incarcerated and upon  
25 release.

26 (8) To be effective, policies and procedures addressing female  
27 offenders need to respond to women's pathways into and out of  
28 crime and to the contexts of their lives that support criminal  
29 behavior.

30 (b) It is the intent of the Legislature to develop a correctional  
31 strategy to address the unique gender-based issues that exist for  
32 female offenders.